

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

In the Matter of

Civil Citation No.72267

Steven Christopher Browning

2011 Larkhall Road

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on February 24, 2010, for a Hearing on a citation for violations of the Baltimore County Code (BCC) section 13-7-310, 312; 13-4-201, failure to comply with correction notice, failure to store garbage in containers with tight fitting lids, failure to eliminate junk, trash and debris on residential property known as 2011 Larkhall Road, 21222.

On January 28, 2010, pursuant to § 3-6-205, Baltimore County Code, Inspector Ray Harmon issued a Code Enforcement citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$1,000.00 (one thousand dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on January 5, 2010 for removal of trash and debris from this residential property; store garbage in cans with tight lids. This Citation was issued on January 28, 2010.

B. Photographs in the file show a large pile of old discarded furniture and other junk and debris in the rear yard of this row home, which is listed as an investment property. Photographs also show garbage cans overflowing with bagged garbage. This violates prohibitions against the accumulation of junk, trash and debris on residential property, and prohibitions against creation of possible harborage for rats. BCC Section 13-4-201, Section 13-7-309, Section 13-7-310.

C. Re-inspection on February 22, 2010 found some improvement, with some of the junk and debris removed. However, violations remain, as photographs in the file show small quantities of junk, trash and debris strewn on the porch and yard, including an old tire, and old newspapers and other trash strewn on the porch. Because compliance is the goal of code enforcement, the civil penalty will be reduced if the violations are corrected within the time provided below.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$500.00 (five hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be REDUCED to \$100.00 (one hundred dollars) if the violations are corrected by March 22, 2010, with all junk, trash and debris removed and all garbage properly stored in cans with tight lids.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty as authorized above shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 1st day of March 2010

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer

